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EXAMINER

RYAN, PATRICK A

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/675,073	Applicant(s) KARAOGUZ ET AL.	
	Examiner PATRICK A. RYAN	Art Unit 2427	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is made in reply to Amendment After Non-Final, filed August 16, 2010 ("Reply"). Applicant has amended Claims 1, 4, 5, 11-21, 24, 25, 32, 34, 37, 39 and 40; no claims have been added; and no claims have been canceled. As amended, Claims 1-44 are presented for examination.

2. In the Office Action of May 17, 2010 ("Office Action"):

Claims 11-20 were rejected under 35 U.S.C. 101 because the claimed invention was directed to non-statutory subject matter.

Claims 1-3, 9-13, 19-23, 29-33, & 35-40 were rejected under 35 U.S.C. 102(e) as being anticipated by Ellis et al. (US Patent No. 6,774,926).

Claims 4, 5, 14, 15, 24, & 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis et al. (US Pat No. 6,774,926) in view of Moynihan (US Pat. Application Publication 2002/0056119).

Claims 6-8, 16-18, 26-28, & 34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis et al. (US Pat No. 6,774,926) in view of Zustak et al. (US Pat Application Publication 2002/0104098).

Response to Arguments

3. Applicant's arguments, see Reply Pages 17-18, with respect to Claim 1 have been fully considered, but they are moot in view of new grounds of rejection.

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4. Applicant's arguments, see Reply Pages 18-20, with respect to Claim 4 have been fully considered but they are not persuasive.

Applicant presents that the combination of Ellis and Moynihan does not teach the Claim 4 limitation of “selecting said device associated with one or both said second home and/or said second television from a user interface of said first television” because “Moynihan merely teach sending video mail to contacts of a contact list” (Reply Page 18). The Examiner respectfully disagrees.

The Examiner notes that Moynihan additionally demonstrates a user interface at said first home for selection of one or more devices permitted to receive personal media (Fig. 12 allowing the channel owner to control access to content based on a number of factors including IP address, as described in Paragraph [0085]; with further reference to Step E of Fig. 4 and the “black out” feature, as described in Paragraphs [0075-0076]). It is therefore the Examiner's position that at least the combination of Ellis and Moynihan address the limitation of Claim 4 (as further demonstrated below).

Claim Rejections - 35 USC § 101

5. Applicant has amended Claims 11-20 to further define the “machine-readable storage” to be “non-transitory”, therefore the rejection is withdrawn.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-44 are rejected under 35 U.S.C. 102(a) as being unpatentable over Ellis et al. (US Patent No. 6,774,926 “Ellis”) in view of Moynihan (US Pat. Application Publication 2002/0056119) in view of Zustak et al. (US Pat Application Publication 2002/0104098 “Zustak”).

8. With respect the Claim 1, Ellis teaches a method for supporting communication of media (Generally shown in Figs. 15-18), the method comprising:

establishing a private television channel to be showed by a first television at a first home and a second television at a second home (User Equipment 34 of Fig. 1, also shown as Contributor 102 (i.e. first home) and Viewer 104 (i.e. second home) of Fig. 7, is used to establish personal media channels and distribute the channel to selected users by way of password protection, as described in Col. 11 Line 46—Col. 12 Line 16 and shown in Figs. 8, 9, 10, and 14; with further reference to Col. 3 Lines 19-33, Col. 15 Lines 23-34); and

associating personal media with said private television channel (personal media, such as “Dental News” is associated with the personal channel “DEN”, as shown in Fig. 9 and described in Col. 9 Line 48—Col 10. Line 8; with further reference to Contributor

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interface of Fig. 14), wherein said personal media is pushed from said first home to said second home (Contributor establishes the times and dates in which the personal media is to be distributed and received by the Viewer, with reference to elements 204, 206, and 208 of Fig. 14, as described in Col. 11 Line 65--Col. 12 Line 3; and interface of Fig. 9, as described in Col. 9 Line 1—Col. 10 Line 8; with further reference to Col. 7 Lines 38-47, Col. 13 Line 29—Col. 14 Line 32).

Ellis additionally teaches “channel maps” that are used to associate destination information by linking personal channels with television channels or Internet address information that is used to locate the channels (as described in Col. 13 Line 66--Col. 14 Line 23 and shown in Step 234 of Fig. 17). Ellis however does not explicitly teach the step of associating comprising using destination information corresponding to a device associated with said second television and/or said second home.

In a similar field of invention, Zustak teaches a system in which a channel of television programming, created by an individual subscriber, is transmitted to a number of subscribers by addressing the IP addresses of the set-top box, which may be integrated into a television set (322, 324, 326, & 328), at select locations (Paragraphs [0005], [0040], [0043], [0045], and Fig.3).

Both Ellis and Zustak teach similar techniques of communicating personal media between a first user device and a second user device. Zustak additionally teaches communicating media to a user device using destination information, such as the IP address of a device. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Zustak with those of

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Ellis, in order to provide a manner in which to identify individual subscribers on a communication network. A person with ordinary skill in the art would have been motivated to make the modification to Ellis et al. in order to give the creator of a private television channel the benefit of streamlining content to a selective group of viewers (as Zustak suggests in Paragraph [0005]).

Ellis further teaches a user interface that provides a Contributor the option of assigning a password to a personal channel so that only authorized users have the ability to access the channel (User Equipment 34 of Fig. 1, also shown as Contributor 102 (i.e. first home) and Viewer 104 (i.e. second home) of Fig. 7, is used to establish personal media channels and distribute the channel to selected users by way of password protection, as described in Col. 11 Line 46—Col. 12 Line 16 and shown in Figs. 8, 9, 10, and 14; with further reference to Col. 3 Lines 19-33, Col. 15 Lines 23-34). In addition, Ellis teaches that “in homes with multiple viewers, user profiles may be established, so that each viewer may have a customized set of favorites, etc.” (as described in Col. 13 Lines 50-52, and Col. 15 Lines 4-22). However, the combination of Ellis and Zustak does not clearly demonstrate wherein said establishing said private television channel comprises receiving via a user interface at said first home a selection of one or more devices that are permitted to receive personal media via the private television channel, wherein said selected one of more devices include a device associated with said second television and/or said second home.

In a similar field of invention, Moynihan teaches a method and system for transferring multimedia files to a central server where they can be readily accessed by

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others on the network (Abstract). In addition, Moynihan discloses selecting viewers (2nd users) for the receipt of personal media created by a channel owner (1st user) from a user interface (Fig.15 and Paragraphs [0056, 0088, 0089]). Moynihan additionally demonstrates a user interface at said first home for selection of one or more devices permitted to receive personal media (Fig. 12 allowing the channel owner to control access to content based on a number of factors including IP address, as described in Paragraph [0085]; with further reference to Step E of Fig. 4 and the “black out” feature, as described in Paragraphs [0075-0076]).

Each of Ellis, Zustak, and Moynihan teach similar techniques of communicating personal media between a first user device and a second user device. Additionally, both Zustak and Moynihan teach similar techniques for communicating personal media to end user devices based on the IP address of the device. Zustak also provides the user with an interface for allowing a user to permit or block one or more user devices based on factors including the IP address of the device. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Moynihan with those of Ellis and Zustak, in order to provide the creator of the channel the added option of selectively sending out a private television channel. A person with ordinary skill in the art would have been motivated to make the modification to Ellis et al. in order to provide a more efficient and secure manner in which to selectively broadcast a personal channel to a chosen recipient.

9. With respect to Claim 2, the combination of Ellis, Zustak, and Moynihan teach the method according to Claim 1, comprising displaying said personal media along with

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content of a media broadcast on one or both of said first television and/or said second television (Ellis: Television 72 displaying programming from both traditional television channels and from personal television channels Col. 5 Lines 45-48; with further reference to Fig. 9 as described in Col. 9 Line 1—Col. 10 Line 8).

10. With respect to Claim 3, the combination of Ellis, Zustak, and Moynihan teach the method according to Claim 2, comprising communicating at least a portion of said associated personal media over said private television channel between said first television and said second television (Ellis: “Contributor” and “Viewer” interaction as described in Col. 7 Lines 27—Col. 9 Line 15 and shown in Figs. 7 and 8).

11. With respect to Claim 4, the combination of Ellis, Zustak, and Moynihan teach the method according to Claim 1, comprising selecting said device associated with one or both said second home and/or said second television from a user interface of said first television (Moynihan teaches the use of a “contact list”, as shown in Fig. 15 and Paragraph [0056, 0088, 0089]; with further reference to Fig. 12, as described in Paragraphs [0075-0076,0085]).

12. With respect to Claim 5, the combination of Ellis, Zustak, and Moynihan teach the method of Claim 4 comprising selecting said device associated with said one or both of said second home and/or said second television from one or both of a list and/or a profile displayed on said first television (Moynihan teaches the use of a “contact list”, as shown in Fig. 15 and Paragraph [0056, 0088, 0089]; with further reference to Fig. 12, as described in Paragraphs [0075-0076,0085]).

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13. With respect to Claim 6, the combination of Ellis, Zustak, and Moynihan teach the method according to Claim 1, comprising determining said destination information through at least one identifier associated with one or more of said first home, said first television, said second home and/or said second television (Zustak teaches a system in which a channel of television programming, created by an individual subscriber, is transmitted to a number of subscribers by addressing the IP addresses of the set-top box, which may be integrated into a television set (322, 324, 326, & 328), at select locations (Paragraphs [0005], [0040], [0043], [0045], and Fig.3)).

14. With respect to Claim 7, the combination of Ellis, Zustak, and Moynihan teach the method of Claim 6 wherein said at least one identifier is one or more of a device ID, a serial number, a medium access control (MAC) address and/or an Internet protocol (IP) address (Zustak teaches the use of an IP address in selectively addressing individual subscribers for the receipt of personal programming, as described in Paragraphs [0016] & [0043]).

15. With respect to Claim 8, the combination of Ellis, Zustak, and Moynihan teach the method of Claim 6 comprising establishing said private television channel between said first television and said second television based on said at least one identifier (Zustak et al. that teach the transmittal of the personal media channel to individual subscribers, using IP addresses, as described in Paragraphs [0016] & [0043]. In addition, Ellis teaches that a password can be assigned to a personal channel, as described in Col. 11 Line 46—Col. 12 Line 16 and shown in Figs. 8, 9, 10, and 14; with further reference to Col. 3 Lines 19-33, Col. 15 Lines 23-34).

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16. With respect to Claim 9, the combination of Ellis, Zustak, and Moynihan teach the method according to Claim 1, comprising presenting a representation of said private television channel in a channel guide displayed on one or both of said first television and/or said second television (Ellis: Fig. 9 showing Personal Channels 136, as described in Col. 9 Line 1—Col. 10 Line 8).

17. With respect to Claim 10, the combination of Ellis, Zustak, and Moynihan teach the method of Claim 1 comprising presenting a representation of said associated personal media for said private television channel in a media guide displayed on one or both of said first television and/or said second television (Ellis: “tune set-top box to appropriate channel”, such as Dental News in DEN channel, as described in Col. 9 Line 61--Col. 10 Line 8; with further reference to Fig. 9).

18. With respect to Claim 41, the combination of Ellis, Zustak, and Moynihan teach the method of Claim 1, wherein said destination information regarding one or both of said first and/or second homes comprises information regarding one or more of said first television, said second television, a first storage and/or a second storage (Zustak teaches the use of an IP address in selectively addressing individual subscribers television equipment, such as a Set-top Box, for the receipt of personal programming, as described in Paragraphs [0016] & [0043]).

19. With respect to Claim 11, Ellis teaches a non-transitory machine-readable storage having stored thereon, a computer program having at least one code section for supporting communication of media, the at least one code section being executable by

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a machine for causing the machine (Set-top Box 62 of Fig. 3, as described in Col. 5

Lines 17-60 executing the method of Figs. 15-18) to perform steps comprising:

establishing a private television channel to be showed by a first television at a first home and a second television at a second home (User Equipment 34 of Fig. 1, also shown as Contributor 102 (i.e. first home) and Viewer 104 (i.e. second home) of Fig. 7, is used to establish personal media channels and distribute the channel to selected users by way of password protection, as described in Col. 11 Line 46—Col. 12 Line 16 and shown in Figs. 8, 9, 10, and 14; with further reference to Col. 3 Lines 19-33, Col. 15 Lines 23-34); and

associating personal media with said private television channel (personal media, such as “Dental News” is associated with the personal channel “DEN”, as shown in Fig. 9 and described in Col. 9 Line 48—Col. 10. Line 8; with further reference to Contributor interface of Fig. 14), wherein said personal media is pushed from said first home to said second home (Contributor establishes the times and dates in which the personal media is to be distributed and received by the Viewer, with reference to elements 204, 206, and 208 of Fig. 14, as described in Col. 11 Line 65--Col. 12 Line 3; and interface of Fig. 9, as described in Col. 9 Line 1—Col. 10 Line 8; with further reference to Col. 7 Lines 38-47, Col. 13 Line 29—Col. 14 Line 32).

Ellis additionally teaches “channel maps” that are used to associate destination information by linking personal channels with television channels or Internet address information that is used to locate the channels (as described in Col. 13 Line 66--Col. 14 Line 23 and shown in Step 234 of Fig. 17). Ellis however does not explicitly teach the

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step of associating comprising using destination information corresponding to a device associated with said second television and/or said second home.

In a similar field of invention, Zustak teaches a system in which a channel of television programming, created by an individual subscriber, is transmitted to a number of subscribers by addressing the IP addresses of the set-top box, which may be integrated into a television set (322, 324, 326, & 328), at select locations (Paragraphs [0005], [0040], [0043], [0045], and Fig.3).

Both Ellis and Zustak teach similar techniques of communicating personal media between a first user device and a second user device. Zustak additionally teaches communicating media to a user device using destination information, such as the IP address of a device. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Zustak with those of Ellis, in order to provide a manner in which to identify individual subscribers on a communication network. A person with ordinary skill in the art would have been motivated to make the modification to Ellis et al. in order to give the creator of a private television channel the benefit of streamlining content to a selective group of viewers (as Zustak suggests in Paragraph [0005]).

Ellis further teaches a user interface that provides a Contributor the option of assigning a password to a personal channel so that only authorized users have the ability to access the channel (User Equipment 34 of Fig. 1, also shown as Contributor 102 (i.e. first home) and Viewer 104 (i.e. second home) of Fig. 7, is used to establish personal media channels and distribute the channel to selected users by way of

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password protection, as described in Col. 11 Line 46—Col. 12 Line 16 and shown in Figs. 8, 9, 10, and 14; with further reference to Col. 3 Lines 19-33, Col. 15 Lines 23-34). In addition, Ellis teaches that “in homes with multiple viewers, user profiles may be established, so that each viewer may have a customized set of favorites, etc.” (as described in Col. 13 Lines 50-52, and Col. 15 Lines 4-22). However, the combination of Ellis and Zustak does not clearly demonstrate wherein said establishing said private television channel comprises receiving via a user interface at said first home a selection of one or more devices that are permitted to receive personal media via the private television channel, wherein said selected one of more devices include a device associated with said second television and/or said second home.

In a similar field of invention, Moynihan teaches a method and system for transferring multimedia files to a central server where they can be readily accessed by others on the network (Abstract). In addition, Moynihan discloses selecting viewers (2nd users) for the receipt of personal media created by a channel owner (1st user) from a user interface (Fig.15 and Paragraphs [0056, 0088, 0089]). Moynihan additionally demonstrates a user interface at said first home for selection of one or more devices permitted to receive personal media (Fig. 12 allowing the channel owner to control access to content based on a number of factors including IP address, as described in Paragraph [0085]; with further reference to Step E of Fig. 4 and the “black out” feature, as described in Paragraphs [0075-0076]).

Each of Ellis, Zustak, and Moynihan teach similar techniques of communicating personal media between a first user device and a second user device. Additionally,

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both Zustak and Moynihan teach similar techniques for communicating personal media to end user devices based on the IP address of the device. Zustak also provides the user with an interface for allowing a user to permit or block one or more user devices based on factors including the IP address of the device. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Moynihan with those of Ellis and Zustak, in order to provide the creator of the channel the added option of selectively sending out a private television channel. A person with ordinary skill in the art would have been motivated to make the modification to Ellis et al. in order to provide a more efficient and secure manner in which to selectively broadcast a personal channel to a chosen recipient.

20. Claim 12 is met as previously discussed with respect to Claims 11 and 2.
21. Claim 13 is met as previously discussed with respect to Claims 11 and 3.
22. Claim 14 is met as previously discussed with respect to Claims 11 and 4.
23. Claim 15 is met as previously discussed with respect to Claims 11 and 5.
24. Claim 16 is met as previously discussed with respect to Claims 11 and 6.
25. Claim 17 is met as previously discussed with respect to Claim 11 and 7.
26. Claim 18 is met as previously discussed with respect to Claims 11 and 8.
27. Claim 19 is met as previously discussed with respect to Claim 11 and 9.
28. Claim 20 is met as previously discussed with respect to Claim 11 and 10.
29. Claim 42 is met as previously discussed with respect to Claims 11 and 41.

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30. With respect to Claim 21, Ellis teaches a system for supporting communication of media, the system comprising (as generally shown in Figs. 1, 7, and 8): at least one processor (microprocessor-based Set-top Box 62 of Fig. 3, as described in Col. 5 Lines 17-60) for

establishing a private television channel to be showed by a first television at a first home and a second television at a second home (User Equipment 34 of Fig. 1, also shown as Contributor 102 (i.e. first home) and Viewer 104 (i.e. second home) of Fig. 7, is used to establish personal media channels and distribute the channel to selected users by way of password protection, as described in Col. 11 Line 46—Col. 12 Line 16 and shown in Figs. 8, 9, 10, and 14; with further reference to Col. 3 Lines 19-33, Col. 15 Lines 23-34); and

associating personal media with said private television channel (personal media, such as “Dental News” is associated with the personal channel “DEN”, as shown in Fig. 9 and described in Col. 9 Line 48—Col 10. Line 8; with further reference to Contributor interface of Fig. 14), wherein said personal media is pushed from said first home to said second home (Contributor establishes the times and dates in which the personal media is to be distributed and received by the Viewer, with reference to elements 204, 206, and 208 of Fig. 14, as described in Col. 11 Line 65--Col. 12 Line 3; and interface of Fig. 9, as described in Col. 9 Line 1—Col. 10 Line 8; with further reference to Col. 7 Lines 38-47, Col. 13 Line 29—Col. 14 Line 32).

Ellis additionally teaches “channel maps” that are used to associate destination information by linking personal channels with television channels or Internet address

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information that is used to locate the channels (as described in Col. 13 Line 66--Col. 14 Line 23 and shown in Step 234 of Fig. 17). Ellis however does not explicitly teach the step of associating comprising using destination information corresponding to a device associated with said second television and/or said second home.

In a similar field of invention, Zustak teaches a system in which a channel of television programming, created by an individual subscriber, is transmitted to a number of subscribers by addressing the IP addresses of the set-top box, which may be integrated into a television set (322, 324, 326, & 328), at select locations (Paragraphs [0005], [0040], [0043], [0045], and Fig.3).

Both Ellis and Zustak teach similar techniques of communicating personal media between a first user device and a second user device. Zustak additionally teaches communicating media to a user device using destination information, such as the IP address of a device. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Zustak with those of Ellis, in order to provide a manner in which to identify individual subscribers on a communication network. A person with ordinary skill in the art would have been motivated to make the modification to Ellis et al. in order to give the creator of a private television channel the benefit of streamlining content to a selective group of viewers (as Zustak suggests in Paragraph [0005]).

Ellis further teaches a user interface that provides a Contributor the option of assigning a password to a personal channel so that only authorized users have the ability to access the channel (User Equipment 34 of Fig. 1, also shown as Contributor

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102 (i.e. first home) and Viewer 104 (i.e. second home) of Fig. 7, is used to establish personal media channels and distribute the channel to selected users by way of password protection, as described in Col. 11 Line 46—Col. 12 Line 16 and shown in Figs. 8, 9, 10, and 14; with further reference to Col. 3 Lines 19-33, Col. 15 Lines 23-34). In addition, Ellis teaches that “in homes with multiple viewers, user profiles may be established, so that each viewer may have a customized set of favorites, etc.” (as described in Col. 13 Lines 50-52, and Col. 15 Lines 4-22). However, the combination of Ellis and Zustak does not clearly demonstrate wherein said establishing said private television channel comprises receiving via a user interface at said first home a selection of one or more devices that are permitted to receive personal media via the private television channel, wherein said selected one of more devices include a device associated with said second television and/or said second home.

In a similar field of invention, Moynihan teaches a method and system for transferring multimedia files to a central server where they can be readily accessed by others on the network (Abstract). In addition, Moynihan discloses selecting viewers (2nd users) for the receipt of personal media created by a channel owner (1st user) from a user interface (Fig.15 and Paragraphs [0056, 0088, 0089]). Moynihan additionally demonstrates a user interface at said first home for selection of one or more devices permitted to receive personal media (Fig. 12 allowing the channel owner to control access to content based on a number of factors including IP address, as described in Paragraph [0085]; with further reference to Step E of Fig. 4 and the “black out” feature, as described in Paragraphs [0075-0076]).

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Each of Ellis, Zustak, and Moynihan teach similar techniques of communicating personal media between a first user device and a second user device. Additionally, both Zustak and Moynihan teach similar techniques for communicating personal media to end user devices based on the IP address of the device. Zustak also provides the user with an interface for allowing a user to permit or block one or more user devices based on factors including the IP address of the device. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Moynihan with those of Ellis and Zustak, in order to provide the creator of the channel the added option of selectively sending out a private television channel. A person with ordinary skill in the art would have been motivated to make the modification to Ellis et al. in order to provide a more efficient and secure manner in which to selectively broadcast a personal channel to a chosen recipient.

31. Claim 22 is met as previously discussed with respect to Claims 21 and 2.
32. Claim 23 is met as previously discussed with respect to Claims 21 and 3.
33. Claim 24 is met as previously discussed with respect to Claims 21 and 4.
34. Claim 25 is met as previously discussed with respect to Claims 21 and 5.
35. Claim 26 is met as previously discussed with respect to Claims 21 and 6.
36. Claim 27 is met as previously discussed with respect to Claims 21 and 7.
37. Claim 28 is met as previously discussed with respect to Claims 21 and 8.
38. Claim 29 is met as previously discussed with respect to Claims 21 and 9.
39. Claim 30 is met as previously discussed with respect to Claims 21 and 10.

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40. With respect to Claim 31, the combination of Ellis, Zustak, and Moynihan teach the system according to claim 21, wherein said at least one processor is one or more of a television processor, a media processing system processor, a media peripheral processor, a personal computer processor and/or a personal computer executing media exchange software processor (Ellis: television processor of Set-top Box 62, shown in Fig. 3 and described in Col. 5 Lines 17-60).

41. Claim 43 is met as previously discussed with respect to Claims 21 and 41.

42. With respect to Claim 32, Ellis teaches a method for supporting the communications of media (Generally shown in Figs. 15-18) comprising:

establishing a private television channel (User Equipment 34 of Fig. 1, also shown as Contributor 102 (i.e. first home) and Viewer 104 (i.e. second home) of Fig. 7, is used to establish personal media channels and distribute the channel to selected users by way of password protection, as described in Col. 11 Line 46—Col. 12 Line 16 and shown in Figs. 8, 9, 10, and 14; with further reference to Col. 3 Lines 19-33, Col. 15 Lines 23-34) wherein, only those who are authorized by a creator of media, which is communicated via said established private television channel, are allowed to consume said communicated media (the system may only allow those users who supply a password, provided by the media Contributor, to view the Contributor's program, as described in Col. 11 Line 46—Col. 12 Line 16);

associating personal media with said private television channel (personal media, such as “Dental News” is associated with the personal channel “DEN”, as shown in Fig. 9 and described in Col. 9 Line 48—Col 10. Line 8; with further reference to Contributor interface of Fig. 14), wherein said personal media is pushed from said first home to said second home (Contributor establishes the times and dates in which the personal media is to be distributed and received by the Viewer, with reference to elements 204, 206, and 208 of Fig. 14, as described in Col. 11 Line 65--Col. 12 Line 3; and interface of Fig. 9, as described in Col. 9 Line 1—Col. 10 Line 8; with further reference to Col. 7 Lines 38-47, Col. 13 Line 29—Col. 14 Line 32);

and associating destination information regarding one or both of the first home and/or a second home, respectively, with said private television channel and/or said personal media (“channel maps” that link personal channels with television channels or Internet address information that is used to locate the channels, as described in Col. 13 Line 66--Col. 14 Line 23 and shown in Step 234 of Fig. 17).

However, Ellis does not explicitly teach the step of associating comprising a selected one or more devices and the step of pushing comprising using destination information of one or more devices.

In a similar field of invention, Zustak teaches a system in which a channel of television programming, created by an individual subscriber, is transmitted to a number of subscribers by addressing the IP addresses of the set-top box, which may be integrated into a television set (322, 324, 326, & 328), at select locations (Paragraphs [0005], [0040], [0043], [0045], and Fig.3).

Both Ellis and Zustak teach similar techniques of communicating personal media between a first user device and a second user device. Zustak additionally teaches communicating media to a user device using destination information, such as the IP address of a device. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Zustak with those of Ellis, in order to provide a manner in which to identify individual subscribers on a communication network. A person with ordinary skill in the art would have been motivated to make the modification to Ellis et al. in order to give the creator of a private television channel the benefit of streamlining content to a selective group of viewers (as Zustak suggests in Paragraph [0005]).

Ellis further teaches a user interface that provides a Contributor the option of assigning a password to a personal channel so that only authorized users have the ability to access the channel (User Equipment 34 of Fig. 1, also shown as Contributor 102 (i.e. first home) and Viewer 104 (i.e. second home) of Fig. 7, is used to establish personal media channels and distribute the channel to selected users by way of password protection, as described in Col. 11 Line 46—Col. 12 Line 16 and shown in Figs. 8, 9, 10, and 14; with further reference to Col. 3 Lines 19-33, Col. 15 Lines 23-34). In addition, Ellis teaches that “in homes with multiple viewers, user profiles may be established, so that each viewer may have a customized set of favorites, etc.” (as described in Col. 13 Lines 50-52, and Col. 15 Lines 4-22). However, the combination of Ellis and Zustak does not clearly demonstrate wherein said establishing said private

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television channel comprises receiving from a first home a selection of one or more devices that are permitted to receive the private television channel.

In a similar field of invention, Moynihan teaches a method and system for transferring multimedia files to a central server where they can be readily accessed by others on the network (Abstract). In addition, Moynihan discloses selecting viewers (2nd users) for the receipt of personal media created by a channel owner (1st user) from a user interface (Fig.15 and Paragraphs [0056, 0088, 0089]). Moynihan additionally demonstrates a user interface at said first home for selection of one or more devices permitted to receive personal media (Fig. 12 allowing the channel owner to control access to content based on a number of factors including IP address, as described in Paragraph [0085]; with further reference to Step E of Fig. 4 and the “black out” feature, as described in Paragraphs [0075-0076]).

Each of Ellis, Zustak, and Moynihan teach similar techniques of communicating personal media between a first user device and a second user device. Additionally, both Zustak and Moynihan teach similar techniques for communicating personal media to end user devices based on the IP address of the device. Zustak also provides the user with an interface for allowing a user to permit or block one or more user devices based on factors including the IP address of the device. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Moynihan with those of Ellis and Zustak, in order to provide the creator of the channel the added option of selectively sending out a private television channel. A person with ordinary skill in the art would have been motivated to make the modification

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to Ellis et al. in order to provide a more efficient and secure manner in which to selectively broadcast a personal channel to a chosen recipient.

43. Claim 33 is met as previously discussed with respect to Claims 32 and 2.

44. Claim 34 is met as previously discussed with respect to Claims 32 and 8.

45. Claim 35 is met as previously discussed with respect to Claims 32 and 2.

46. Claim 36 is met as previously discussed with respect to Claims 32 and 3.

47. With respect to Claim 37, Ellis teaches a system supporting consumption of media by a television display via a communication network (Internet based Communications Network 40 of Fig. 1, as described in Col. 3 Lines 8-18; with further reference to Figs. 7 and 8), the system comprising a processor communicatively coupled to the communication network (microprocessor-based Set-top Box 62 of Fig. 3, as described in Col. 5 Lines 17-60 executing the method of Figs. 15-18), wherein:

said processor delivers via said communication network, a user interface (as shown in Figs. 9-14; with further reference to the method of Figs. 15-18);

said user interface facilitating creation of a personal television channel ("Personal Television Channel Scheduler" Input Screen 196 of Fig. 14, as described in Col. 11 Line 65--Col. 12 Line 3), wherein only those who are authorized by a creator of media, which is communicated via said established private television channel, are allowed to consume said communicated media (the system may only allow those users who supply

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a password, provided by the media Contributor, to view the Contributor's program, as described in Col. 11 Line 46—Col. 12 Line 16);

said processor participates to establish the personal television channel on the television display (personal television channels are displayed to the user as shown in Figs. 9, 10, 12, 13 and described in Col. 9 Line 1—Col. 11 Line 45)

said processor associates destination information regarding one or both of a first home and/or a second home with the private television channel and/or the personal media associated with the personal television channel ("channel maps" that link personal channels with television channels or Internet address information that is used to locate the channels, as described in Col. 13 Line 66--Col. 14 Line 23 and shown in Step 234 of Fig. 17; with further reference to the Contributor/Viewer configuration of Figs. 7 and 8);

and said processor pushes the personal television channel from the first location to the second location (Contributor establishes the times and dates in which the personal media is to be distributed and received by the Viewer, with reference to elements 204, 206, and 208 of Fig. 14, as described in Col. 11 Line 65--Col. 12 Line 3; and interface of Fig. 9, as described in Col. 9 Line 1—Col. 10 Line 8; with further reference to Col. 7 Lines 38-47, Col. 13 Line 29—Col. 14 Line 32).

However, Ellis does not explicitly teach the step of associating comprising a selected one or more devices and the step of pushing comprising using destination information of one or more devices.

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In a similar field of invention, Zustak teaches a system in which a channel of television programming, created by an individual subscriber, is transmitted to a number of subscribers by addressing the IP addresses of the set-top box, which may be integrated into a television set (322, 324, 326, & 328), at select locations (Paragraphs [0005], [0040], [0043], [0045], and Fig.3).

Both Ellis and Zustak teach similar techniques of communicating personal media between a first user device and a second user device. Zustak additionally teaches communicating media to a user device using destination information, such as the IP address of a device. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Zustak with those of Ellis, in order to provide a manner in which to identify individual subscribers on a communication network. A person with ordinary skill in the art would have been motivated to make the modification to Ellis et al. in order to give the creator of a private television channel the benefit of streamlining content to a selective group of viewers (as Zustak suggests in Paragraph [0005]).

Ellis further teaches a user interface that provides a Contributor the option of assigning a password to a personal channel so that only authorized users have the ability to access the channel (User Equipment 34 of Fig. 1, also shown as Contributor 102 (i.e. first home) and Viewer 104 (i.e. second home) of Fig. 7, is used to establish personal media channels and distribute the channel to selected users by way of password protection, as described in Col. 11 Line 46—Col. 12 Line 16 and shown in Figs. 8, 9, 10, and 14; with further reference to Col. 3 Lines 19-33, Col. 15 Lines 23-34).

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In addition, Ellis teaches that “in homes with multiple viewers, user profiles may be established, so that each viewer may have a customized set of favorites, etc.” (as described in Col. 13 Lines 50-52, and Col. 15 Lines 4-22). However, the combination of Ellis and Zustak does not clearly demonstrate wherein said creation of said private television channel comprises receiving from a first home a selection of one or more devices that are permitted to receive the private television channel.

In a similar field of invention, Moynihan teaches a method and system for transferring multimedia files to a central server where they can be readily accessed by others on the network (Abstract). In addition, Moynihan discloses selecting viewers (2nd users) for the receipt of personal media created by a channel owner (1st user) from a user interface (Fig.15 and Paragraphs [0056, 0088, 0089]). Moynihan additionally demonstrates a user interface at said first home for selection of one or more devices permitted to receive personal media (Fig. 12 allowing the channel owner to control access to content based on a number of factors including IP address, as described in Paragraph [0085]; with further reference to Step E of Fig. 4 and the “black out” feature, as described in Paragraphs [0075-0076]).

Each of Ellis, Zustak, and Moynihan teach similar techniques of communicating personal media between a first user device and a second user device. Additionally, both Zustak and Moynihan teach similar techniques for communicating personal media to end user devices based on the IP address of the device. Zustak also provides the user with an interface for allowing a user to permit or block one or more user devices based on factors including the IP address of the device. It would have been obvious to

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a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Moynihan with those of Ellis and Zustak, in order to provide the creator of the channel the added option of selectively sending out a private television channel. A person with ordinary skill in the art would have been motivated to make the modification to Ellis et al. in order to provide a more efficient and secure manner in which to selectively broadcast a personal channel to a chosen recipient.

48. With respect to Claim 38, the combination of Ellis, Zustak, and Moynihan teach the system according to Claim 37, wherein said user interface is a web page (Ellis: "web page or other interface may be used by contributors to enter personal television channel schedule information over the Internet", as described in Col. 5 Lines 12-14).

49. Claim 44 is met as previously discussed with respect to Claims 37 and 41.

50. With respect to Claim 39, Ellis teaches a system for supporting delivery of personal media to a television display in a first home from storage that is located outside of the first home via a communication network (Internet based Communications Network 40 of Fig. 1, as described in Col. 3 Lines 8-18; with further reference to Figs. 7 and 8. In addition Program Schedule Database 54 of Fig. 2 can be used to store and supply program data, as described in Col. 4 Lines 19-58), the system comprising:

a processor communicatively coupled to the communication network (microprocessor-based Set-top Box 62 of Fig. 3, as described in Col. 5 Lines 17-60 executing the method of Figs. 15-18);

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a personal television channel viewable on the television display established through participation by said processor (Program Guides of Fig. 9 and 10, displayed by way of Television 72, as described in Col. 9 Line 6—Col. 10 Line 32),

wherein personal media is associated with said personal television channel (personal media, such as “Dental News” is associated with the personal channel “DEN”, as shown in Fig. 9 and described in Col. 9 Line 48—Col 10. Line 8; with further reference to Contributor interface of Fig. 14),

wherein destination information regarding the television display is associated with said personal television channel (“channel maps” that link personal channels with television channels or Internet address information that is used to locate the channels, as described in Col. 13 Line 66--Col. 14 Line 23 and shown in Step 234 of Fig. 17; with further reference to the Contributor/Viewer configuration of Figs. 7 and 8),

wherein said personal television channel is pushed to the television display from a remote location (Contributor establishes the times and dates in which the personal media is to be distributed and received by the Viewer, with reference to elements 204, 206, and 208 of Fig. 14, as described in Col. 11 Line 65--Col. 12 Line 3; and interface of Fig. 9, as described in Col. 9 Line 1—Col. 10 Line 8; with further reference to Col. 7 Lines 38-47, Col. 13 Line 29—Col. 14 Line 32),

wherein, only those who are authorized by a creator of media, which is communicated via said established private television channel, are allowed to consume said communicated media (the system may only allow those users who supply a password, provided by the media Contributor, to view the Contributor's program, as described in Col. 11 Line 46—Col. 12 Line 16); and

a visual interface provided by said personal television channel to support selective consumption of the personal media from the storage on the television display (as shown in Figs. 9-14; with further reference to the method of Figs. 15-18).

However, Ellis does not explicitly teach the step of associating comprising a selected one or more devices and the step of pushing comprising using destination information of one or more devices.

In a similar field of invention, Zustak teaches a system in which a channel of television programming, created by an individual subscriber, is transmitted to a number of subscribers by addressing the IP addresses of the set-top box, which may be integrated into a television set (322, 324, 326, & 328), at select locations (Paragraphs [0005], [0040], [0043], [0045], and Fig.3).

Both Ellis and Zustak teach similar techniques of communicating personal media between a first user device and a second user device. Zustak additionally teaches communicating media to a user device using destination information, such as the IP address of a device. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Zustak with those of Ellis, in order to provide a manner in which to identify individual subscribers on a

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communication network. A person with ordinary skill in the art would have been motivated to make the modification to Ellis et al. in order to give the creator of a private television channel the benefit of streamlining content to a selective group of viewers (as Zustak suggests in Paragraph [0005]).

Ellis further teaches a user interface that provides a Contributor the option of assigning a password to a personal channel so that only authorized users have the ability to access the channel (User Equipment 34 of Fig. 1, also shown as Contributor 102 (i.e. first home) and Viewer 104 (i.e. second home) of Fig. 7, is used to establish personal media channels and distribute the channel to selected users by way of password protection, as described in Col. 11 Line 46—Col. 12 Line 16 and shown in Figs. 8, 9, 10, and 14; with further reference to Col. 3 Lines 19-33, Col. 15 Lines 23-34). In addition, Ellis teaches that “in homes with multiple viewers, user profiles may be established, so that each viewer may have a customized set of favorites, etc.” (as described in Col. 13 Lines 50-52, and Col. 15 Lines 4-22). However, the combination of Ellis and Zustak does not clearly demonstrate wherein said creation of said private television channel comprises receiving from a first home a selection of one or more devices that are permitted to receive the private television channel.

In a similar field of invention, Moynihan teaches a method and system for transferring multimedia files to a central server where they can be readily accessed by others on the network (Abstract). In addition, Moynihan discloses selecting viewers (2nd users) for the receipt of personal media created by a channel owner (1st user) from a user interface (Fig.15 and Paragraphs [0056, 0088, 0089]). Moynihan additionally

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demonstrates a user interface at said first home for selection of one or more devices permitted to receive personal media (Fig. 12 allowing the channel owner to control access to content based on a number of factors including IP address, as described in Paragraph [0085]; with further reference to Step E of Fig. 4 and the “black out” feature, as described in Paragraphs [0075-0076]).

Each of Ellis, Zustak, and Moynihan teach similar techniques of communicating personal media between a first user device and a second user device. Additionally, both Zustak and Moynihan teach similar techniques for communicating personal media to end user devices based on the IP address of the device. Zustak also provides the user with an interface for allowing a user to permit or block one or more user devices based on factors including the IP address of the device. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Moynihan with those of Ellis and Zustak, in order to provide the creator of the channel the added option of selectively sending out a private television channel. A person with ordinary skill in the art would have been motivated to make the modification to Ellis et al. in order to provide a more efficient and secure manner in which to selectively broadcast a personal channel to a chosen recipient.

51. With respect to Claim 40, the combination of Ellis, Zustak, and Moynihan teach the system according to Claim 39, wherein said visual interface is a graphical user interface navigable by one or more of a remote control, a pointing device, and/or touch screen (Ellis: as shown in Figs. 9-14; with further reference to the method of Figs. 15-

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18. In addition, users can interact with the interface using Remote Control 74 or Wireless Keyboard 76 of Fig. 3, as described in Col. 5 Lines 46-60).

Conclusion

52. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

53. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PATRICK A. RYAN whose telephone number is (571)270-5086. The examiner can normally be reached on Mon to Thur, 8:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. A. R./
Examiner, Art Unit 2427
Monday, October 18, 2010

/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2427